

1 [To prohibit members of boards, commissions and advisory bodies from participating
2 in a meeting when compromised by alcohol or illegal drugs and to specify investigation
3 procedures]

4 **Ordinance adding Chapter 5 to Article III of the Campaign and Governmental Conduct**
5 **Code to prohibit members of boards, commissions, and advisory bodies from**
6 **participating in a meeting when compromised by alcohol or illegal drugs.**

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~strikethrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
10 Board amendment deletions are ~~strikethrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby amended
13 by adding Chapter 5, Section 3.500, to read as follows:

14 Sec. 3.500 ETHICAL MEETING CONDUCT BY MEMBERS OF BOARDS, COMMISSIONS
15 AND ADVISORY BODIES

16 (a) A member of an elected or appointive board, commission or advisory body of any kind
17 established by the Charter or legislative act of the United States of America, the State of
18 California or the Board of Supervisors may not participate in a meeting of that member's board,
19 commission, or advisory body while that member is compromised by alcohol or illegal drugs
20 (including prescription drugs not used in accordance with the prescription). For purposes of
21 this ordinance, a member shall be considered to be compromised if that member is impaired in
22 his or her communication, comprehension, adherence to the rules of order applicable to the
23 meeting, ability to maintain physical control, or ability to exercise professional judgment in
24 carrying out the business of the City and County of San Francisco or if that member consumes
25 alcohol or uses illegal drugs after the commencement of a meeting of the board, commission, or
advisory body and before the conclusion of such meeting.

1 (b) A member of an elected or appointive board, commission or advisory body who observes
2 conduct by another member of that board, commission or advisory body in violation of this
3 ordinance, or which the member in good faith believes is in violation of this ordinance, shall file
4 a complaint with the Ethics Commission alleging a violation of this ordinance.

5 (c) The Ethics Commission shall investigate and act upon any alleged violation of this
6 ordinance using the procedures established under Section C3.699-13 of the Charter. All
7 members of the board, commission, or advisory body involved in the investigation shall
8 cooperate with the investigation. When the investigation is complete, the Ethics Commission
9 shall forward a report summarizing its findings to the appointing authority, if any, of the
10 member who is the subject of the investigation. The Ethics Commission report shall not be
11 confidential.

12 (d) Violation of this ordinance or failure to cooperate with an investigation of an alleged
13 violation of this ordinance shall be considered official misconduct within the meaning of Section
14 15.105(e) of the Charter.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: _____
19 ELIZABETH SALVESON
20 Deputy City Attorney